

**AMENDMENTS TO THE DRAWINGS:**

The attached sheet of drawings includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1.

Attachment: 1 Replacement Sheet

## REMARKS

Claims 28 and 29 have been cancelled. Claims 1, 9-12, 15, 24, 26, and 27 have been amended to clarify the subject matter regarded as the invention. Claims 1-27 are pending.

Figure 1 has been amended as suggested by the Examiner to overcome the objection to the drawings set forth in the Office Action. Specifically, the legend– Prior Art – has been added.

The Examiner has rejected claims 1, 3, 5, 9-12, 15, 24, and 26-27 under 35 U.S.C. §112, second paragraph. The rejection is respectfully traversed.

With respect to claims 1, 15, and 26-27, the Examiner has suggested that “there are no given steps to arrive the method for rolling back an image or rolling back a computer state.” The respective preambles of claims 1, 15, and 26-27 have been amended in a manner believed to overcome the rejection.

With respect to claims 15 and 27, the Examiner has suggested that the “steps in the body of the claims are not cooperative related to each other.” Claims 15 and 27 have been amended in a manner believed to overcome the rejection.

With respect to claims 3 and 5, the Examiner has suggested that the terms “image is a system” and “image is an application” are “inconsistent with its true meaning.” As amended, claims 3 and 5 now recite “wherein the image is a system image” and “wherein the image is an application image,” respectively, and the amended claims are believed to overcome the Examiner’s rejection accordingly. Support for the amendment can be found, e.g., at page 6, line 10.

With respect to the rejection of claim 9 as vague and indefinite, the claim has been amended to recite a “security definition.” Support for the amendment can be found, e.g., at p. 9 paragraph 1 and p. 10 lines 1-12.

Claims 9-12 have been amended in a manner believed to address the antecedent basis issues identified by the Examiner.

With respect to claim 24, the Examiner has suggested that the claim is incomplete for omitting essential structural cooperative relationship of elements. As amended, claim 24 recites that the “repository, scanner, and protection module are configured to permit the exchange of data, information, and/or instructions.” Support for the amendment may be found, e.g., at page 6, lines 17-22. As such, amended claim 24 is believed to overcome the Examiner’s rejection to that claim under 35 U.S.C. 112, second paragraph.

The Examiner has rejected claims 1-23 under 35 U.S.C. §101. The rejection is respectfully traversed. As amended, independent claims 1 and 15 recite “rolling a computer resource back to a state associated with a computer image” and “reverting to a computer state,” respectively to specify more clearly the concrete, useful, and tangible result that may be produced through a practical application of the recited methods.

Claims 2-14 and 16-23 depend from claim 1 and 15, respectively, and are believed to be allowable for the same reasons described above.

The Examiner has rejected claims 1-16 and 19-29 under 35 U.S.C. §102(e) as being anticipated by Humlicek (U.S. Patent No. 6,594,744) and has rejected dependent claims 17 and 18 under 35 U.S.C. §103(a) as being unpatentable over Humlicek in view of Liang (US 2003/0115483). The rejections are respectfully traversed.

With respect to claims 1 and 26, Humlicek describes at col. 8, lines 23-37 deleting a first point-in-time image from a snapshot repository after a rollback procedure has completed and updating a snapshot volume with an identifier for a second point-in-time image. Deleting a snapshot from a repository after a rollback has been completed is not “determining whether the roll-back state is secure” as recited in Claims 1 and 26. Claims 1 and 26 are therefore believed to be allowable. Claims 2-14 depend from claim 1 and are believed to be allowable for the same reasons described above.

As amended, claims 15 and 27 recite “analyzing a second portion of the repository determined by the marker and the safe state, including by performing one or more security checks.” Deleting a snapshot from a repository after a rollback has been completed as described by Humlicek is not “performing one or more security checks” as recited in claims 15 and 27.

Therefore, claims 15 and 27 are believed to be allowable. Claims 16-23 depend from claim 15 and are believed to be allowable for the same reasons described above.

With respect to claim 24, deleting a snapshot from a repository after a rollback has been completed as described by Humlicek at col. 8, lines 29-38 is not "securing the roll-back state" as recited in claim 24. Claim 24 is therefore believed to be allowable. Claim 25 depends from claim 24 and is believed to be allowable for the same reasons described above.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

Dated: \_\_\_\_\_

8/1/2006



Robyn Wagner  
Registration No. 50,575  
V 408-973-2596  
F 408-973-2595

VAN PELT, YI & JAMES LLP  
10050 N. Foothill Blvd., Suite 200  
Cupertino, CA 95014